

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GARY J. GALLONIO,)
Plaintiff,) Civil Action No. 04 - 1642
v.) Judge Gary L. Lancaster
JAMESON MEMORIAL HOSPITAL,) Magistrate Judge Lisa Pupo Lenihan
Defendant.)
)

ORDER

The above captioned case filed with the Clerk of Court on October 27, 2004, and was referred to United States Magistrate Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's Report and Recommendation (Doc. No. 19), filed on November 11, 2005, recommended that Defendant's Motion to Strike Complaint and to Dismiss Action (Doc. No. 17) be granted. The parties were advised they were allowed ten (10) days from the date of service to file written objections to the report and recommendation. No objections have been filed. After review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

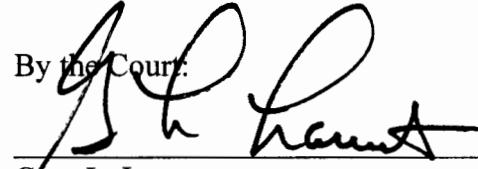
AND NOW, this 16th day of Dec, 2005;

IT IS HEREBY ORDERED that Defendant's Motion to Strike Complaint and to Dismiss Action (Doc. No. 17) is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 19) of Magistrate Judge Lenihan, dated November 11, 2005, is adopted as the opinion of the court.

Dated:

By the Court:



Gary L. Lancaster
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

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